

REGULATORY AGENDA

Department of Agriculture and Markets

Pursuant to subdivision 1 of section 202-d of the State Administrative Procedure Act, notice is hereby provided of the following rules which the Department of Agriculture and Markets is considering proposing but for which a rulemaking proceeding has not been commenced. All section and Part references are to Title 1 of the New York Code of Rules and Regulations.

DIVISION OF ANIMAL INDUSTRY

Part 45: Consider amending avian influenza testing requirements to correspond to practices in other states.

Part 46: Consider amending the program for the control and eradication of brucellosis to remove obsolete provisions and adopt updated federal standards.

Part 53: Consider amending import requirements to allow cattle to enter the state without a certificate of veterinary inspection under specific conditions.

Part 59: Consider amending the vaccine requirements to define the criteria for use of the rabies vaccine in New York.

Part 61: Consider adopting recordkeeping requirements for swine, cervid, camelid, goat and sheep dealers.

Part 62: Consider amending animal health requirements to eliminate herd TB test requirement and add individual BVD test requirements to Camelidae.

Part 63: Consider adopting Pseudorabies and Brucellosis import testing requirement for feral or transitional swine.

Part 64: Consider amending regulations governing the movement and transfer of horses or other equidae to allow the acceptance of "equine passports" issued by other states.

Part 68: Consider amending the intrastate movement restrictions for captive cervids to provide the owners of herds of Chronic Wasting Disease (CWD) susceptible species with a one-time option to move all of their CWD susceptible animals to a special purpose herd.

Part 77: Consider amending the standards of care for seized dogs to clarify the definition of a dog dealer.

Part 351: Consider amending the animal health requirements for admission to fairs to require all entries to include a premises identification number.

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DIVISION OF FOOD SAFETY AND INSPECTION

Part 271: Consider amending sanitation requirements for retail food stores to correspond with changes to the 2005 FDA Food Code.

Part 192: Consider adopting regulations to implement Chapter 668 of the Laws of 2006, relative to disposal methods for the dumping of sub-standard or below grade agricultural products.

Part 175: Consider amending regulations regarding the grading of maple products.

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DIVISION OF MILK CONTROL AND DAIRY SERVICES

Parts 2 & 3: Consider amending requirements for the production, processing and distribution of milk and milk products.

Section 2.8: Consider amending the pasteurized milk and pasteurized cultured product standards to include a zero tolerance standard for pathogenic coliform.

Part 17: Consider adoption of current federal standards of identity for milk and milk products.

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DIVISION OF PLANT INDUSTRY

Section 95.3: Consider amending seed germination testing provisions to conform with Agriculture and Markets Law § 137.

Section 95.9: Consider amending to add seeds of additional weeds and undesirable grasses to the list of noxious weed seeds.

Part 96: Consider amending regulations relative to seed certification.

Part 127: Consider amending the Golden Nematode quarantine.

Part 131: Consider amending the Pine Shoot Beetle Quarantine to add Columbia, Orange and Ulster County.

Part 139: Consider amending the Asian Long Horned Beetle quarantine area.

Part 141: Consider adopting regulations to establish a European wood wasp quarantine.

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BUREAU OF WEIGHTS AND MEASURES

Part 220: Consider increasing the maximum fees that municipal directors of weights and measures can charge for inspections and adopting maximum fees for pricing accuracy inspections.

Part 221: Consider adopting national standards, based on "NIST Handbook 130," for commodity labeling and methods of sale for foods and consumer commodities under the Department's jurisdiction.

Section 224.3: Consider adopting standards for alternative fuels produced from biological sources such as biodiesel, blend stock ethanol, and alternative fuels such as E85 and E75.

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EXECUTIVE

Parts 360 & 365: Consider amending regulations governing public access to records of the Department pursuant to the Freedom of Information Law and the Personal Privacy Protection Act.

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